

RECEIVED

DEC 22 2016

U.S. District Court
Eastern District of MO

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
DIVISION

Demetrius Jones)
NAME OF THE PLAINTIFF)
)
)

- vs -

Gate Gourmet)
)

Case No.

8725 Scudder Road)
)

Berkeley, MO 63134)
)

JURY TRIAL DEMANDED

Saint Louis County)
)

NAME OF THE DEFENDANT OR)

DEFENDANTS (Enter above the full name(s) of)
ALL defendant(s) in this lawsuit. Please)
attach additional sheets if necessary.)

YES NO _____

EMPLOYMENT DISCRIMINATION COMPLAINT

1. This employment discrimination lawsuit is based on (check only those that apply):



Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, *et seq.*, for employment discrimination on the basis of race, color, religion, gender, or national origin.

NOTE: *In order to bring suit in federal district court under Title VII, you must first obtain a right-to-sue letter from the Equal Employment Opportunity Commission.*



Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. §§ 621, *et seq.*, for employment discrimination on the basis of age (age 40 or older).

NOTE: *In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.*



American with Disabilities Act of 1990, as amended, 42 U.S.C. §§ 12101, *et seq.*, for employment discrimination on the basis of disability.

NOTE: *In order to bring suit in federal district court under the American with Disabilities Act, you must first obtain a right-to-sue letter from the Equal Employment Opportunity Commission.*

Rehabilitation Act of 1973, as amended, 29 U.S.C. §§ 701, et seq., for employment discrimination on the basis of a disability by an employer which constitutes a program or activity receiving federal financial assistance.

NOTE: *In order to bring suit in federal district court under the Rehabilitation Act of 1973, you must first file charges with the appropriate Equal Employment Office representative or agency.*



Other (Describe)

Equal Pay Act

PARTIES

2. Plaintiff's name: Demetrius Jones

Plaintiff's address: 1114 Towering Pines Drive

Street address or P.O. Box

Saint Louis / MO / 63136

City/ County/ State/Zip Code

(314) 738-8035

Area code and telephone number

3. Defendant's name: Gate Gourmet

Defendant's address: 8725 Scudder

Street address or P.O. Box

Berkeley, MO 63134

City/County/State/ Zip Code

(314) 743-4287

Area code and telephone number

NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES, ADDRESSES AND TELEPHONE NUMBERS ON A SEPARATE SHEET OF PAPER.

4. If you are claiming that the discriminatory conduct occurred at a different location, please provide the following information:

(Street Address) (City/County) (State) (Zip Code)

5. When did the discrimination occur? Please give the date or time period:

April, 2016 - July 12, 2016

ADMINISTRATIVE PROCEDURES

6. Did you file a charge of discrimination against the defendant(s) with the Missouri Commission on Human Rights?

Yes Date filed: _____

No

7. Did you file a charge of discrimination against the defendant(s) with the Equal Employment Opportunity Commission or other federal agency?

Yes Date filed: 10/7/2016

No

8. Have you received a Notice of Right-to-Sue Letter?

Yes No

If yes, please attach a copy of the letter to this complaint.

9. If you are claiming age discrimination, check one of the following:

60 days or more have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission.

fewer than 60 days have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission.

NATURE OF THE CASE

10. The conduct complained of in this lawsuit involves (check only those that apply):

- failure to hire me
 termination of my employment
 failure to promote me
 failure to accommodate my disability
 terms and conditions of my employment differ from those of similar employees
 retaliation
 harassment
 other conduct (specify): _____

Did you complain about this same conduct in your charge of discrimination?

- Yes No

11. I believe that I was discriminated against because of my (check all that apply):

- race
 religion
 national origin
 color
 gender
 disability
 age (my birth date is: _____)

other: I declined to take a position for which I didn't possess the proper license.

Did you state the same reason(s) in your charge of discrimination?

- Yes No

12. State here, as briefly and clearly as possible, the essential facts of your claim. Describe specifically the conduct that you believe is discriminatory and describe how each defendant is involved in the conduct. Take time to organize your statement; you may use numbered paragraphs if you find it helpful. It is not necessary to make legal arguments, or to cite cases or statutes.

I was employed by Gate Gourmet in the position as a Driver. My rate of pay climbed to \$13.79 per hour. In April, 2016, my rate of pay was decreased to \$11.08 per hour without any verbal or written notifications. I was informed by the company's general manager, Bob Pirkle, that my pay was cut due to me declining a position he wanted me to take. He informed me of this after I had filed complaints with Teamsters

Union. Previously when I inquired about the over-the-road driver position, Bob Pirkle & Danny Ash - General Manager & Asst. General Manager, I was told that I didn't have the proper license to possess the OTR (over the road) driver position. After going back and forth with the general & assistant general managers and the Teamsters Union representative (Dave Lalumandier) and repeatedly being told by the union rep that Gate Gourmet was going to correct this, I quit the position on July 12, 2016. To date (December 22, 2016), nothing has been finalized on all the pay I didn't get. Also, I was denied unemployment so I have not had an income since July 2016.

(Attach additional sheets as necessary).

13. The acts set forth in paragraph 12 of this complaint:

are still being committed by the defendant.

are no longer being committed by the defendant.

may still be being committed by the defendant.

REQUEST FOR RELIEF

State briefly and exactly what you want the Court to do for you. Make no legal arguments; cite no cases or statutes.

I would like for Gate Gourmet to pay me ALL of the money they shorted me and I would like the money I would have received from unemployment from July 2016 to present.

Signed this _____ day of 22 December, 2016.


Signature of Plaintiff